

Agenda

Administrative rules review committee

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, December 9, 2008, at 9 a.m. and Wednesday, December 10, 2008, at 8:30 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

ADMINISTRATIVE SERVICES DEPARTMENT[11]

Customer councils, rescind ch 10 Filed **ARC 7292B** 11/5/08
Information technology—board membership, audit of fees, 20.5, 20.8(6) Filed **ARC 7290B** 11/5/08
Information technology—participating agencies, operational standards, 25.1, 25.5(5) Filed **ARC 7289B** 11/5/08
Eligibility of charitable agencies—criteria included in campaign, 71.6(1)“f” and “h” Filed **ARC 7291B**..... 11/5/08

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Pesticides—aerial applicators and aerial applicator supervisors, 45.1, 45.22(17) Notice **ARC 7339B**..... 11/19/08
Designations for ethanol blended gasoline, 85.48 Notice **ARC 7370B**..... 11/19/08
Electronic warehouse receipts and credit-sale contracts, amendments to chs 90, 91 Notice **ARC 7338B** 11/19/08

BANKING DIVISION[187]

COMMERCE DEPARTMENT[181]“umbrella”

Mortgage bankers and mortgage brokers, 18.1 to 18.5, 18.6(4), 18.8, 18.10(1), 18.23 Filed **ARC 7340B** 11/19/08

CREDIT UNION DIVISION[189]

COMMERCE DEPARTMENT[181]“umbrella”

Update of references to Iowa Code, amendments to chs 1, 3, 6, 7, 9 to 17, 19, 23, 25 Notice **ARC 7319B** 11/5/08

CULTURAL AFFAIRS DEPARTMENT[221]

Iowa community cultural grants program, 6.3, 6.5, 6.6 Notice **ARC 7311B** 11/5/08

ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]

CDBG contingency fund, 23.4, 23.10 Filed Emergency **ARC 7314B**..... 11/5/08
Waiver of wage and nonstatutory program requirements under certain limited conditions, 68.2(6), 68.4(7)“a”(1),
174.4, 175.4 Notice **ARC 7315B**, also Filed Emergency **ARC 7316B** 11/5/08

EDUCATIONAL EXAMINERS BOARD[282]

EDUCATION DEPARTMENT[281]“umbrella”

Adding endorsements to licenses, 14.106 Filed **ARC 7321B** 11/5/08
Administrator licenses, 14.114 Filed **ARC 7322B**..... 11/5/08
Two-year teacher exchange license, 14.120(1) Filed **ARC 7324B**..... 11/5/08
Substitute authorization for preschool special education, 14.143 Notice **ARC 7329B**..... 11/5/08
Special education instructional endorsements, 15.1(2) Filed **ARC 7323B** 11/5/08

ENVIRONMENTAL PROTECTION COMMISSION[567]

NATURAL RESOURCES DEPARTMENT[561]“umbrella”

Air quality, 22.1(2)“r,” 22.8(1), 23.1 Notice **ARC 7306B** 11/5/08
Fee schedule—water use permit program, 50.4(2), 55.5(2) Notice **ARC 7307B**..... 11/5/08
Iowa antidegradation implementation procedure, 61.2(2), 61.3 Notice **ARC 7368B** 11/19/08
Private sewage disposal systems, 64.15(4), ch 69 Notice **ARC 7308B**..... 11/5/08
Solid waste comprehensive planning requirements, amendments to ch 101 Notice **ARC 7310B** 11/5/08

HUMAN SERVICES DEPARTMENT[441]

Medicaid and FIP—eligibility; alignment of procedures across programs, amendments to chs 40, 41, 43, 45, 46, 75,

76 Filed Emergency After Notice **ARC 7295B** 11/5/08
Iowa disaster aid individual assistance grant program, 58.3(2), 58.4(4), 58.5, 58.6 Filed **ARC 7296B** 11/5/08
Assignment of rights to medical payments from third parties, 75.2(2), 75.2(4) Notice **ARC 7356B** 11/19/08
Medicaid—continuous eligibility for children, 75.19, 75.54(4) Filed Emergency After Notice **ARC 7298B**..... 11/5/08
State-funded family planning program, 76.1(2)“d,” ch 87 Notice **ARC 7367B**..... 11/19/08
Medicaid—health care data match program; payment from other sources, 76.13, 80.3, 80.5(2) Notice **ARC 7355B**..... 11/19/08
Medicaid coverage—behavioral health services, 77.26, 78.29, 79.1(2), 79.3(2)“d” Filed Emergency After Notice **ARC 7300B** 11/5/08
Supplemental rebates for diabetic supplies, 78.6, 78.9, 78.10, 78.28 Notice **ARC 7369B** 11/19/08
Medicaid—local education agency expenses for transportation, 78.6(6), 78.25(2)“e,” 78.50(1) Filed **ARC 7301B**..... 11/5/08
Medicaid—reimbursement for nursing facilities related to performance, 81.6(16)“g,” 81.36(5) Filed **ARC 7302B**..... 11/5/08
HAWK-I program, amendments to ch 86 Filed **ARC 7336B**..... 11/19/08
Child care centers, child development homes—staff training, 109.2(6)“b,” 109.7, 110.5 Filed **ARC 7303B**..... 11/5/08

In-home health related care, 177.4(5), 177.6(3), 177.11(1) Notice **ARC 7371B** 11/19/08

INSURANCE DIVISION[191]

COMMERCE DEPARTMENT[181]"umbrella"

Insurance producers, 10.2 to 10.26 Filed **ARC 7350B** 11/19/08
Continuing education for insurance producers, 11.1(3), 11.2 to 11.4, 11.10(8) Filed **ARC 7351B** 11/19/08
Prohibited designation, 15.8(3)"e" Filed **ARC 7353B** 11/19/08
Independent review of benefit trigger determinations, 39.1, 39.41 to 39.55 Filed **ARC 7347B** 11/19/08
Premium rate increase—protection to consumers, 39.29(4) Filed **ARC 7348B** 11/19/08
Viatical and life settlements, amendments to ch 48 Filed **ARC 7317B** 11/5/08
Use of senior-specific certificates and professional designations, 50.16(2)"j," 50.38(1)"y," 50.54 Filed **ARC 7349B** 11/19/08
Annual financial reporting requirements, ch 98 Filed **ARC 7304B** 11/5/08
Sales of cemetery merchandise, funeral merchandise and funeral services, chs 100 to 106 Filed **ARC 7318B** 11/5/08

IOWA FINANCE AUTHORITY[265]

Second amended 2009 qualified allocation plan, 12.1 Notice **ARC 7294B**, also Filed Emergency **ARC 7293B** 11/5/08

MANAGEMENT DEPARTMENT[541]

DAS customer council, ch 12 Filed **ARC 7313B** 11/5/08

MEDICINE BOARD[653]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Physical, mental, and clinical competency evaluations, 24.4 Filed **ARC 7305B** 11/5/08

NATURAL RESOURCE COMMISSION[571]

NATURAL RESOURCES DEPARTMENT[561]"umbrella"

Zoning of Mississippi River, city of Burlington, 40.56 Notice **ARC 7309B** 11/5/08

PAROLE BOARD[205]

CORRECTIONS DEPARTMENT[201]"umbrella"

Certificates of employability, ch 9 Notice **ARC 7337B** 11/19/08

PROFESSIONAL LICENSURE DIVISION[645]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Respiratory care—fees, 5.17(1), 5.17(4) Notice **ARC 7354B** 11/19/08
Board of optometry, rescind chs 179, 184; amend chs 180 to 183 Filed **ARC 7297B** 11/5/08
Board of podiatry, rescind chs 219, 221, 225; amend chs 220, 222, 224 Filed **ARC 7320B** 11/5/08
Podiatry—residency programs, 220.2(11), 220.7(3) Notice **ARC 7325B** 11/5/08
Board of respiratory care, rescind chs 260, 264; amend chs 261 to 263 Filed **ARC 7352B** 11/19/08

PUBLIC HEALTH DEPARTMENT[641]

Plumbing and mechanical systems examining board—administrative and regulatory authority, ch 27 Filed **ARC 7332B** 11/5/08
Plumbing and mechanical systems licensure fees, ch 28 Notice **ARC 7328B** 11/5/08
Plumbing and mechanical systems professionals—application, licensure, and examination, ch 29 Notice **ARC 7330B** 11/5/08
Out-of-hospital do-not-resuscitate orders, ch 142, appendix A Notice **ARC 7357B** 11/19/08
Maintenance of AED device, 143.10 to 143.12 Notice **ARC 7358B** 11/19/08

PUBLIC SAFETY DEPARTMENT[661]

Commercial explosive licensing, rescind 5.7, 5.851, 5.865, 5.866; adopt ch 235 Notice **ARC 7312B** 11/5/08
Reduced ignition propensity cigarettes, ch 61 Filed **ARC 7344B** 11/19/08
Electrical installations—update of National Electrical Code reference, 201.3 Filed **ARC 7342B** 11/19/08
Fire fighter certification standards, 251.202 Filed **ARC 7345B** 11/19/08
Electrical requirements—adoption of National Electrical Code by reference, 301.5 Filed **ARC 7343B** 11/19/08
Installation requirements—update of National Electrical Code reference, 504.1 Filed **ARC 7341B** 11/19/08
Electrical inspection program, chs 550 to 553, 559 Filed **ARC 7346B** 11/19/08

RACING AND GAMING COMMISSION[491]

INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"

Horse racing; licensure; monitoring activities; progressive slot machines, amendments to chs 5, 6, 10 to 12 Filed **ARC 7288B** 11/5/08

REAL ESTATE COMMISSION[193E]

Professional Licensing and Regulation Bureau[193]

COMMERCE DEPARTMENT[181]"umbrella"

Time period for completion of required education, 4.1(10), 16.2(3) Filed **ARC 7299B** 11/5/08

REVENUE DEPARTMENT[701]

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|--|---------------|------------------|----------|
| Tax return extension in disaster areas, 6.8 | <u>Filed</u> | ARC 7364B | 11/19/08 |
| Interest rate—calendar year 2009, 10.2(28) | <u>Notice</u> | ARC 7334B | 11/5/08 |
| Bonding procedure, 11.10 | <u>Notice</u> | ARC 7331B | 11/5/08 |
| Update of revenue rules pertaining to motor fuel, amend chs 18, 67, 68, 231; rescind chs 63 to 65 | <u>Filed</u> | ARC 7363B | 11/19/08 |
| Use tax exemption, 32.3, 33.9, 33.10 | <u>Notice</u> | ARC 7327B | 11/5/08 |
| Individual and corporate income tax; charitable conservation contribution tax credits, 38.19, 41.5(15), 42.23, 42.38, 52.12, 52.37 | <u>Filed</u> | ARC 7361B | 11/19/08 |
| Individual and corporation tax, amendments to chs 40 to 42, 52, 53 | <u>Filed</u> | ARC 7359B | 11/19/08 |
| Individual, corporation, and franchise tax, amendments to chs 42, 43, 52, 58 | <u>Filed</u> | ARC 7360B | 11/19/08 |
| Inheritance tax exemption for qualified tuition plans, 86.5(14) | <u>Notice</u> | ARC 7326B | 11/5/08 |
| Inheritance and estate tax—applicability dates, 86.15, 87.1, 87.6 | <u>Notice</u> | ARC 7333B | 11/5/08 |
| License sanctions for collection of state debt, ch 153 | <u>Notice</u> | ARC 7335B | 11/5/08 |

UTILITIES DIVISION[199]

COMMERCE DEPARTMENT[181]“umbrella”

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|---|------------------------------|------------------|----------|
| Electronic filing requirements, amend chs 1, 6, 7, 10, 11, 13; adopt ch 14 | <u>Filed</u> | ARC 7366B | 11/19/08 |
| Clarification of status of regulated, deregulated, and unregulated telecommunications services, amendments to ch 22 | <u>Notice</u> | ARC 7365B | 11/19/08 |
| Unauthorized changes in telecommunications service, 22.23 | <u>Notice of Termination</u> | ARC 7362B | 11/19/08 |

ADMINISTRATIVE RULES REVIEW COMMITTEE MEMBERS

Regular, statutory meetings are held the second Tuesday of each month at the seat of government as provided in Iowa Code section 17A.8. A special meeting may be called by the Chair at any place in the state and at any time.

EDITOR’S NOTE: Terms ending April 30, 2011.

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